

By Senator Wayland:

Amend page 4, line 16, section 9, by striking out all after the words "section 9," and inserting in the place thereof the following: "It is not intended by this act that the commissioners court shall be debarred from allowing compensation for ex officio services to county officials when in their judgment such compensation is necessary."

Amend by adding to the bill in regular order immediately underneath the last line of amended section 9, the following: "Section 10. All laws and parts of laws in conflict with this act are hereby repealed."

By Senator Tillett:

Amend the amendment by adding after the word "necessary": "And the commissioners court are hereby authorized to pay for such ex officio services such sum as they may deem just and right in those counties where the fees of office do not amount to the sums allowed by law, all sums received by such officers, not to exceed the maximum amount allowed by law."

Pending action,

On motion of Senator Kerr, the Senate adjourned until 10 a. m. to-morrow by the following vote:

Yeas—17.

Bailey.	Morriss.
Burns.	Neal.
Colquitt.	Ross.
Darwin.	Stone.
Dibrell.	Wayland.
Gough.	Woods.
Harrison.	Yantis.
Kerr.	Yett.
Lewis.	

Nays—8.

Atlee.	Rogers.
Boren.	Terrell.
Bowser.	Tillett.
Greer.	Turney.

Absent.

Beall.	Presler.
Goss.	Stafford.
Linn of Wharton.	

Excused.

Linn of Victoria.

THIRTY-FOURTH DAY.

Senate Chamber,

Austin, Tex., Friday, Feb. 26.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Neal.
Bailey.	Presler.
Boren.	Rogers.
Bowser.	Ross.
Burns.	Stafford.
Colquitt.	Stone.
Darwin.	Terrell.
Dibrell.	Tillett.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Wharton.	Yett.
Morriss.	

Absent.

Beall.	Gough.
Goss.	

Excused.

Linn of Victoria.

Prayer by the Chaplain, Rev. F. S. Jackson.

Pending the reading of the Journal of yesterday,

On motion of Senator Harrison, the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Ross:

Petition from citizens of Fannin county, praying for an amendment to the assignment law, prohibiting preferences.

Read and referred to Judiciary Committee No. 1.

By Senator Ross:

Three petitions from citizens of Lamar county, praying for an amendment to the assignment law prohibiting preferences.

Read and referred to Judiciary Committee No. 1.

HOUSE MESSAGES.

The following House messages were received:

Hall House of Representatives.

Austin, Texas, Feb. 23, 1897.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate of the passage of the following bill:

Senate bill No. 206, a bill to be entitled "An act to amend article 722 of chapter 14, title 21, of the Revised Statutes of the State of Texas, as adopted by the Twenty-fourth Legislature of the State of Texas in the year 1895,"

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

House of Representatives,
Austin, Texas, Feb. 25, 1897.

Hon. George T. Jester, President of
the Senate.

I am directed by the House to in-
form the Senate that the House has
passed

House concurrent resolution No. 11,
relating to Federal appropriation for
the jetties at Galveston and the ap-
propriation made by Congress for the
survey of Buffalo bayou and connec-
tions.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 26, 1897.

Hon. George T. Jester, President of
the Senate:

Your Committee on State Affairs, to
whom was referred

Senate bill No. 240, a bill to be en-
titled "An act to amend an act entitled
'An act to provide for the collection
of taxes heretofore and that may
hereafter be levied, making such
taxes a lien on the lands taxed, estab-
lishing and continuing such lien, pro-
viding for the sale and conveyance of
lands delinquent for taxes since Jan-
uary 1, 1895, which may have been
returned delinquent or reported sold
to the State, or to any county, city or
town to satisfy the lien thereon; as
enacted by the regular session of the
Twenty-fourth Legislature, being
chapter 5a, of title CIV, of the Re-
vised Civil Statutes of 1895, relating
to delinquent taxes, and to repeal all
laws in conflict with this act."

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the rec-
ommendation that it do pass.

KERR, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1897.

Hon. George T. Jester, President of
the Senate.

Your Judiciary Committee No. 1, to
whom were referred

Senate bill No. 182, a bill to be en-
titled "An act to provide an additional
method of preparing transcripts of the
record in civil cases, on appeal or writ
of error, and to have the same printed,
and prescribing the method of prepar-
ing and printing the same, and pre-
scribing the costs and fees to be
charged and collected therefor."

Have had the same under considera-
tion, and I am instructed to report the

same back to the Senate with the fol-
lowing amendment:

By adding to section 7 the words:
"One-half of which shall be retained
by the clerk as his fees, and the other
one-half shall be paid to plaintiff in
the event of his recovery for costs."

And thus amended recommend that
it do pass.

LEWIS, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1897.

Hon. George T. Jester, President of
the Senate.

Your Judiciary Committee No. 1, to
whom was referred

Senate bill No. 215, a bill to be en-
titled "An act to regulate the trial of
civil actions for damages for libel, and
the damages that may be allowed in
such cases."

Have had the same under consider-
ation, and I am instructed to report
same back to the Senate with the rec-
ommendation that it do pass.

LEWIS, Chairman.

BILLS AND RESOLUTIONS.

By Senator Yantis:

Senate bill No. 235, a bill to be en-
titled "An act to amend article 1114, ti-
tle 15, chapter 3, of the Code of Crimi-
nal Procedure of the State of Texas,
for the purpose of providing for pay-
ment of jurors summoned as special
venire jurors."

Read first time and referred to Judi-
ciary Committee No. 2.

By Senator Greer:

Senate bill No. 236, a bill to be en-
titled "An act to amend article 22, title
4, of the Revised Civil Statutes of the
State of Texas (1895)."

Read first time and referred to Judi-
ciary Committee No. 1.

By Senator Greer:

Senate bill No. 237, a bill to be en-
titled "An act to amend article 812,
Revised Civil Statutes, relative to the
removal of county seats."

Read first time and referred to Com-
mittee on Counties and County Boun-
daries.

By Senator Terrell:

Senate bill No. 238, a bill to be en-
titled "An act to amend article 486,
chapter 5, of the Revised Civil Stat-
utes of the State of Texas, authorizing
cities and towns to levy and collect
taxes and issue bonds for the build-
ing of public buildings, water works
and the improvement of streets, etc."

Read first time and referred to
Committee on Towns and City Cor-
porations.

By Senator Linn of Wharton:
Senate bill No. 239, a bill to be entitled "An act to aid in the support and maintenance of the John Sealy hospital at Galveston and making an appropriation for the same for the years beginning March 1, 1897, to February 28, 1899."

Read first time and referred to Committee on Finance.

By Senator Colquitt:

Senate bill No. 240, a bill to be entitled "An act to amend an act entitled 'An act to provide for the collection of taxes heretofore and that may hereafter be levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes since January 1, 1895, which may have been returned delinquent or reported sold to the State, or to any county, city or town to satisfy the lien thereon; as enacted by the regular session of the Twenty-fourth Legislature, being chapter 5a, of title CIV, of the Revised Civil Statutes of 1895, relating to delinquent taxes, and to repeal all laws in conflict with this act.'"

Read first time and referred to Committee on State Affairs.

Call concluded.

On motion of Senator Harrison, the regular order of business was suspended to take up, on its second reading,

Senate bill No. 189, a bill to be entitled "An act for the relief of B. F. Gholson of Lampasas county, providing for the payment of the said B. F. Gholson for service rendered the State of Texas as a ranger on the frontier."

Bill read second time with the following committee amendment:

Amend by striking out "six hundred and three dollars and twenty cents," where it occurs in the bill, and insert in lieu thereof "four hundred and ninety-one dollars."

(Senator Linn of Wharton in the chair.)

The committee amendment was lost.

By Senator Dibrell:

Amend by striking out in section 1, lines 21 and 22, "\$603.20" and insert in lieu thereof "\$150."

The amendment was adopted by the following vote:

Yeas—18.

Boren.	Greer.
Colquitt.	Lewis.
Darwin.	Presler.
Dibrell.	Rogers.
Gough.	Ross.

Stafford.	Wayland.
Terrell.	Woods.
Tillett.	Yantis.
Turney.	Yett.

Nays—9.

Atlee.	Kerr.
Bailey.	Morriss.
Bowser.	Neal.
Burns.	Stone.
Harrison.	

Absent.

Beall.	Linn of Wharton.
Goss.	

Excused.

Linn of Victoria.

By Senator Harrison:

Amend by adding after the words "one hundred and fifty dollars" the words "and interest at 5 per cent."

Senator Dibrell made the point of order that the amendment was the same in effect as the one previously voted down.

Sustained.

By Senator Colquitt:

Amend section 1 to read:

"Section 1. That B. F. Gholson be and he is hereby permitted to institute a civil action in the court of competent jurisdiction of Lampasas county against the State to try the merits of his claim for compensation for services rendered the State in the year 1858, in the volunteer ranger service; and that upon any judgment rendered in his favor against the State the same shall be paid according to law."

Senator Turney made the point of order that the amendment was not in order for the reason that it was in contravention of the constitutional clause prohibiting the amendment of a bill so as to change its original purpose.

Sustained.

The bill was then ordered engrossed by the following vote:

Yeas—16.

Atlee.	Kerr.
Bailey.	Linn of Wharton.
Bowser.	Morriss.
Burns.	Neal.
Colquitt.	Rogers.
Dibrell.	Turney.
Greer.	Wayland.
Harrison.	Yett.

Nays—9.

Boren.	Terrell.
Darwin.	Tillett.
Lewis.	Woods.
Presler.	Yantis.
Ross.	

Absent.

Beall. Stafford.
Goss. Stone.
Gough.

Excused.

Linn of Victoria.

By unanimous consent, Senator Tillett withdrew

Senate bill No. 196, a bill to be entitled "An act to fix the rate of taxation on every corporation, firm or association, either in this State or out of it, loaning money in this State, and to provide penalties for the violation of this act, and to repeal all laws in conflict herewith."

(Lieutenant Governor Jester in the chair.)

On motion of Senator Bowser, the regular order of business was suspended to take up, on its second reading,

Senate joint resolution No. 3, to amend article 8, of the Constitution of the State of Texas, by adding to said article an additional section, to be numbered section 20."

Resolution read second time.

By Senator Turney:

Amend by striking out all after the word "city," line 21, page 1, down to and including the word "exists," in line 23.

Adopted.

By Senator Colquitt:

Amend by striking out all after the word "at," in line 26 of section 2, down to and including "1897," in line 28, and insert in lieu thereof the following, "the general election to be held in November, 1898."

Lost.

By Senator Rogers:

Amend section 1, page 1, line 11, by adding after the word "manufacturing" the following, "and agriculture."

Lost.

By Senator Presler:

Amend in line 15, page 1, by substituting the word "invested" for the word "engaged," making the clause read: "The property and capital stock of persons and corporations invested in such business."

Adopted.

By Senator Turney:

Amend by striking out "20," where it occurs, and insert in lieu thereof "21."

Adopted.

The resolution was then ordered engrossed by the following vote:

Yeas—20.

Atlee. Linn of Wharton.
Bailey. Morriss.
Bowser. Neal.
Burns. Presler.
Darwin. Rogers.
Dibrell. Stone.
Greer. Tillett.
Harrison. Turney.
Kerr. Wayland.
Lewis. Woods.

Nays—5.

Colquitt. Terrell.
Gough. Yantis.
Ross.

Absent.

Beall. Stafford.
Boren. Yett.
Goss.

Excused.

Linn of Victoria.

On motion of Senator Colquitt, Substitute Senate bill Nos. 45, 59 and 70, being bills to prevent the preference of creditors by deeds of trust, etc.

Was made special order for Monday, March 1, after call, and from day to day.

On motion of Senator Turney,

Senate bill No. 87, a bill to be entitled "An act to amend an act of the regular session of the Twenty-third Legislature, entitled an act to provide for the protection of domestic animals, for the creation of a live stock sanitary commission, rules and regulations, to provide penalties for violating the same, and to make an appropriation to carry out the provisions of this act, approved April 20, A. D. 1893,"

Was made special order for Friday, March 5, after call, and from day to day.

On motion of Senator Colquitt,

Senate bill No. 240 was made special order for Tuesday, March 2, after call, and from day to day.

On motion of Senator Yantis, the regular order of business was suspended to take up, on its second reading,

House bill No. 254, a bill to be entitled "An act to amend sections 4 and 18 and 19, of an act entitled 'An act to incorporate the city of Waco, and to define its boundaries,' approved on the 19th day of February, 1889."

Bill read second time, and passed to third reading.

On motion of Senator Yantis, the constitutional rule, requiring bills to be read on three several days was sus-

pending, and the bill put upon its third reading and final passage by the following vote:

Yeas—24.

Atlee.	Morriss.
Bailey.	Neal.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Gough.	Terrell.
Greer.	Tillett.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Wharton.	Yantis.

Nays—2.

Darwin.	Dibrell.
	Absent.
Beall.	Stone.
Goss.	Yett.

Excused.

Linn of Victoria.

Bill read third time, and passed by the following vote:

Yeas—24.

Atlee.	Morriss.
Bailey.	Neal.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Gough.	Terrell.
Greer.	Tillett.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Wharton.	Yantis.

Nays—1.

Dibrell.

Present, not voting.

Darwin.

Absent.

Beall.	Stone.
Goss.	Yett.

Excused.

Linn of Victoria.

Senator Rogers entered a motion to reconsider the vote by which Senate joint resolution No. 3 was ordered engrossed.

Senator Bowser called up the motion, and moved to table same.

Tabled.

Senator Yantis moved to reconsider the vote by which House bill No. 254 was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Lewis, the regular order of business was sus-

pending to take up, on its second reading,

Senate bill No. 172, a bill to be entitled "An act to authorize the Governor to use the Texas State Exhibit at the Tennessee Centennial, and providing an appropriation for overhauling said exhibit."

Bill read second time, and ordered engrossed.

Senator Rogers moved to suspend the regular order of business to take up

Senate bill No. 153, a bill to be entitled "An act to amend article 271 of chapter 6, title 8, of the Penal Code of the State of Texas, adopted in 1895, relating to the approval of official bonds, and to repeal all laws and parts of laws in conflict with the same."

Lost.

PENDING BUSINESS.

The Chair laid before the Senate, on second reading,

Senate bill No. 83, a bill to be entitled "An act to regulate the compensation of certain State, district and county officers in this State, and to repeal all laws and parts of laws in conflict therewith,"

Action being on the following amendment and the amendment thereto:

By Senator Wayland:

Amend page 4, line 16, section 9, by striking out all after the words "section 9," and inserting in the place thereof the following: "It is not intended by this act that the commissioners' court shall be debarred from allowing compensation for ex officio services to county officials when in their judgment such compensation is necessary."

Amend by adding to the bill in regular order immediately underneath the last line of amended section 9, the following: "Section 10. All laws and parts of laws in conflict with this act are hereby repealed."

By Senator Tillett:

Amend the amendment by adding after the word "necessary": "And the commissioners' court are hereby authorized to pay for such ex officio services such sum as they may deem just and right in those counties where the fees of office do not amount to the sums allowed by law, all sums received by such officers not to exceed the maximum amount allowed by law."

By unanimous consent, Senator

Burns sent up the following resolution:

Resolved by the Senate, that as a tribute of respect to the memory of James Addison Baker, it is considered meet and proper to express the great loss sustained by the State by reason of the death of this distinguished lawyer and eminent citizen, who for more than a quarter-century had stood at the head of the Texas bar.

Adopted.

Senator Gough moved to adjourn to 10 a. m. to-morrow.

Senator Kerr moved to adjourn to 10 a. m. Monday.

The question being on the longest time first, the Senate refused to adjourn until Monday by the following vote:

Yeas—13.

Atlee.	Presler.
Bailey.	Rogers.
Boren.	Ross.
Harrison.	Stone.
Kerr.	Terrell.
Lewis.	Woods.
Morriss.	

Nays—15.

Bowser.	Neal.
Burns.	Stafford.
Colquitt.	Tillett.
Darwin.	Turney.
Dibrell.	Wayland.
Gough.	Yantis.
Greer.	Yett.
Linn of Wharton.	

Absent.

Beall. Goss.

Excused.

Linn of Victoria.

The Senate then adjourned until to-morrow at 10 a. m.

THIRTY-FIFTH DAY.

Senate Chamber,

Austin, Tex., Saturday, Feb. 27.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Darwin.
Bailey.	Dibrell.
Beall.	Greer.
Boren.	Harrison.
Bowser.	Morriss.
Burns.	Neal.
Colquitt.	Presler.

Ross.
Stafford.
Stone.
Tillett.
Turney.

Wayland.
Woods.
Yantis.
Yett.

Absent.

Goss.
Gough.
Kerr.
Lewis.

Linn of Wharton.
Rogers.
Terrell.

Excused.

Linn of Victoria.

Prayer by Rev. Dr. Burleson of Waco.

Pending the reading of the Journal of yesterday,

On motion of Senator Harrison, the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Turney:

Petition from citizens of Sterling and Coke counties protesting against their counties being exempted from the stock inspection laws of Texas.

Read and referred to Committee on Stock and Stock Raising.

By Senator Presler:

Petition from citizens of Erath county, praying for the passage of the "cold storage" bill.

Read and referred to Judiciary Committee No. 2.

By Senator Stafford:

Report of the grand jury of Smith county, Texas, relative to bank failures.

Read and referred to Judiciary Committee No. 2.

By Senator Dibrell (by request):

Memorial from 53 citizens of Gonzales county, asking the Twenty-fifth Legislature to make an appropriation for the establishment and maintenance of a girls' industrial school in connection with the A. & M. College at Bryan, Texas.

Read and referred to Committee on Finance.

COMMITTEE REPORTS.

Committee Room.

Austin, Texas, Feb. 26, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 86, a bill to be entitled "An act in relation to the taking of depositions of the Commissioner and other officers of the General Land Office."

Have had the same under consideration, and I am instructed to report the